Electronically

Generated

Document

Distr.
LIMITED

E/CN.4/1994/L.67
28 February 1994

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Fiftieth session
Agenda item 19

ADVISORY SERVICES IN THE FIELD OF HUMAN RIGHTS

Australia, Austria, Belgium*, Cameroon, Costa Rica, Czech Republic*, Denmark*, Finland, France, Germany, Hungary, Ireland*, Italy, Kenya, Lesotho, Madagascar*, Netherlands, New Zealand*, Norway*, Poland, Russian Federation, Sweden*, Switzerland* and United Kingdom of Great Britain and Northern Ireland: draft resolution

Advisory services and the Voluntary Fund for Technical Cooperation in the Field of Human Rights

The Commission on Human Rights,

Recalling General Assembly resolution 926 (X) of 14 December 1955, in which the Assembly established the United Nations programme of advisory services in the field of human rights, and Economic and Social Council decision 1987/147 of 29 May 1987, pursuant to which the Secretary-General established the Voluntary Fund for Technical Cooperation in the Field of Human Rights, as well as the latest resolution of the Commission on Human Rights on the subject, 1993/87 of 10 March 1993,

Recalling the Vienna Declaration and Programme of Action, in which the World Conference on Human Rights called for an enhanced programme of advisory services highlighting both the traditional fields of technical assistance in

---

* In accordance with rule 69, para. 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

the field of human rights and new areas of technical assistance of which Governments may avail themselves, as summarized in paragraphs 12 to 24 of the report of the Secretary-General (E/CN.4/1994/78),

Mindful of the responsibilities of the High Commissioner for Human Rights set out in General Assembly resolution 48/141 of 20 December 1993, in particular that of providing, through the Centre for Human Rights and other appropriate institutions, advisory services and technical assistance, at the request of the State concerned and, where appropriate, the regional human rights organizations, with a view to supporting actions and programmes in the field of human rights, and of coordinating the human rights promotion and protection activities throughout the United Nations system,

Encouraging all States in need of assistance in the field of human rights to consider making use of the advisory services and technical cooperation, being offered on a bilateral, regional or international level, provided by the Centre for Human Rights or other relevant bodies of the United Nations system or by national institutions or non-governmental organizations, in order to achieve the full enjoyment of all human rights,

Emphasizing the importance of the development of assistance in the field of human rights, including through the assignment of human rights field officers, to countries in transition or in reconstruction after situations of armed conflicts or internal disturbances,

Convinced of the need for the Secretary-General and the High Commissioner for Human Rights to intensify efforts to coordinate system-wide advisory services and technical assistance in the field of human rights through flexible and active inter-agency collaboration,

Convinced also of the need for the Centre for Human Rights to assume the functions of focal point and clearing-house for inter-agency coordination with other organizations of the United Nations system,

Reaffirming that within the common context of the comprehensive programme of advisory services and technical cooperation, a clear distinction should be made between technical cooperation projects financed under the Voluntary Fund for Technical Cooperation in the Field of Human Rights and activities under the

regular budget of the United Nations, while at the same time close coordination between these activities should be ensured,

Reaffirming also that the provision of advisory services and technical cooperation activities may be seen as a complement to, but never a substitute for, the monitoring and investigating activities of the human rights programme and that their provision does not in any way reduce a Government's responsibility for accountability on the human rights situation and, whenever applicable, would not exempt it from scrutiny through the various monitoring procedures established by the United Nations,

Convinced that the Centre for Human Rights needs clear criteria and methods of assessment, strict and transparent project management rules, as well as more efficient management and better coordination among existing voluntary funds,

Taking note with appreciation of the report of the Secretary-General on advisory services in the field of human rights, including the Voluntary Fund for Technical Cooperation in the Field of Human Rights (E/CN.4/1994/78),

I. ACTIVITIES UNDER THE REGULAR BUDGET OF THE UNITED NATIONS

1. Reaffirms that the programme of advisory services in the field of human rights should continue to provide, at the request of Governments and with the cooperation of the specialized agencies, where appropriate, assistance in the form of advisory services of experts, fellowships and scholarships, seminars and training courses at a regional and national level, the drafting of basic legal texts in conformity with international conventions on human rights in order to uphold the rule of law and democracy;

2. Invites competent United Nations treaty bodies, Special Rapporteurs and representatives, as well as working groups, to continue to include in their recommendations, whenever appropriate, proposals for specific projects to be realized under the programme of advisory services;

3. Calls upon the Secretary-General to implement all activities under the programme of advisory services on the basis of clearly defined objectives and themes, taking into account the precise needs of the beneficiaries, as well as to follow up and evaluate them;

4. Again requests the Secretary-General to allocate more human and financial resources for the enlargement of advisory services, within existing

overall United Nations resources, in order to meet the substantially increased demand, in particular for the provision of expert services, emanating from the mandates of and recommendations made by the Commission on Human Rights, competent human rights treaty bodies, special representatives and rapporteurs, independent experts and working groups, as well as from requests by Governments;

II. ACTIVITIES UNDER THE VOLUNTARY FUND FOR TECHNICAL COOPERATION IN THE FIELD OF HUMAN RIGHTS

5. Expresses its appreciation to the Secretary-General for the projects realized since the establishment of the Voluntary Fund for Technical Cooperation in the Field of Human Rights and to Governments and non-governmental organizations for their contributions, and invites other Governments and non-governmental organizations to consider contributing;

6. Emphasizes that the objective of the Voluntary Fund is to provide financial support for international cooperation aimed at building up and strengthening national and regional institutions and infrastructures which will have a long-term impact on improved implementation of international conventions and other international standards on human rights;

7. Welcomes the progress in the implementation of the global approach and the policy of the Centre for Human Rights to address specific demands of a requesting Government by carrying out a comprehensive needs assessment and developing an overall programme containing specific projects aiming at strengthening the human rights infrastructure of a country;

8. Underlines the importance of using such comprehensive needs assessment as a basis for cooperation with specialized bodies and other organizations of the United Nations system, as well as other relevant organizations;

9. Requests the Secretary-General, in accordance with part II, paragraph 16 of the Vienna Declaration and Programme of Action, to ensure more efficient management of the Voluntary Fund, strict and transparent project management rules, periodical evaluations of the programme and projects, and the dissemination of evaluation results, as well as arranging for the holding of annual information meetings open to all member States and organizations directly involved in the advisory services and technical cooperation programme;

10. Underlines that any assistance through technical cooperation in the field of human rights under the Voluntary Fund has to be well prepared, and that there should be a regular and sustained follow-up between the involved national bodies and the Centre for Human Rights, to be reflected in the report of the Secretary-General;

11. Welcomes the appointment by the Secretary-General of a board of trustees for the Voluntary Fund for Technical Cooperation;

12. Urges the Board of Trustees to review the existing project guidelines with a view to improving orientation for Governments requesting advisory services, establishing clear criteria for selecting and defining priorities for projects, as well as establishing an efficient and flexible project preparation, implementation and evaluation procedure;

13. Requests the Secretary-General to provide the necessary administrative assistance for the Board, in order to make it possible for it to fulfil its mandate, and to arrange Board meetings such that the report of the Board can be included in the annual report to the Commission on Human Rights on advisory services and technical cooperation;

14. Requests the Secretary-General, in the light of the increasing availability of voluntary contributions, to expand the provision of experienced, professional staff or to avail himself of the services of consultant experts, keeping pace with the increased demand for advisory services;

15. Invites the Centre for Human Rights to give special attention to strengthening the capacity of national and regional institutions to collect and disseminate information on human rights and establish common practices for cooperation with the United Nations in this area;

16. Encourages Governments to cooperate with non-governmental human rights organizations in formulating and implementing programmes under the Voluntary Fund;

III. SYSTEM-WIDE COOPERATION

17. Requests the Secretary-General through the High Commissioner for Human Rights to explore yet further the possibilities offered by cooperation between the Centre for Human Rights, in its role as the coordinating unit in the promotion, protection and implementation of human rights, and specialized bodies

and other organizations of the United Nations system, as well as non-governmental organizations, including arrangements where needs identified by the Centre are met by projects for which such other bodies and organizations take full responsibility for financing and implementation of the project;

18. Encourages in particular the cooperation between the Centre for Human Rights and the United Nations Development Programme, with a view to integrating, with the advice of the Commission on Human Rights, projects for strengthening human rights into the overall United Nations Development Programme country programmes and in order to prepare and execute jointly individual projects benefiting from the opportunities offered by resident representatives of the Programme;

19. Requests the Secretary-General to prepare an inventory and to undertake an analysis of the availability of advisory services and technical cooperation in the field of human rights from all sources, both multilateral and bilateral;

20. Requests the Secretary-General to report annually to the Commission on Human Rights on the progress made in the implementation of the programme of advisory services and technical cooperation in the field of human rights and on the operation and administration of the Voluntary Fund for Technical Cooperation in the Field of Human Rights.

Distr.
LIMITED

E/CN.4/1994/L.68
1 March 1994

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Fiftieth session
Agenda item 11

FURTHER PROMOTION AND ENCOURAGEMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING THE QUESTION OF THE PROGRAMME AND METHODS OF WORK OF THE COMMISSION

Australia, Austria, Barbados, Cameroon, Canada, Costa Rica, Czech Republic*, France, Gambia*, Mexico, Netherlands, Philippines*, Russian Federation and Uruguay: draft resolution

National institutions for the promotion and protection of human rights

The Commission on Human Rights,

Recalling its relevant resolutions and those of the General Assembly concerning national institutions for the promotion and protection of human rights, notably its resolutions 1990/73 of 7 March 1990, 1991/27 of 5 March 1991, 1992/54 of 3 March 1992 and 1993/55 of 9 March 1993 and General Assembly resolutions 44/64 of 8 December 1989, 46/124 of 17 December 1991 and 48/134 of 20 December 1993,

Stressing the importance of the Universal Declaration of Human Rights, the International Covenants on Human Rights and other international instruments for promoting respect for, and observance of, human rights and fundamental freedoms,

---

* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Affirming that priority should be accorded to the development of appropriate arrangements to ensure the effective implementation of international human rights standards,

Convinced of the important role that can be played by national institutions in promoting and protecting human rights and fundamental freedoms and in developing and enhancing public awareness of those rights and freedoms,

Recognizing that the United Nations has played and should continue to play a catalytic role in assisting the development of national institutions,

Recalling in particular in this regard the Principles relating to the status of national institutions annexed to General Assembly resolution 48/134,

Welcoming the growing interest shown worldwide in the creation and strengthening of national institutions expressed during the regional preparatory meetings for the World Conference on Human Rights and at the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, as well as at the Commonwealth Workshop on National Human Rights Institutions, held at Ottawa from 30 September to 2 October 1992, the Workshop for the Asia-Pacific Region on Human Rights Issues, held at Jakarta from 26 to 28 January 1993, and the second International Workshop on National Institutions for the Promotion and Protection of Human Rights, held at Tunis from 13 to 17 December 1993,

Welcoming with particular satisfaction the convening of the second International Workshop on National Institutions for the Promotion and Protection of Human Rights at Tunis, and noting the decisions and recommendations adopted by national institutions at that meeting relating to the strengthening of national institutions, as well as the recommendations on the protection of disabled persons, children, women, migrants and those subject to arbitrary detention and torture (E/CN.4/1994/45, chap. VI),

Welcoming also the decisions, announced recently by several States, to establish, or consider establishing, independent national institutions for the promotion and protection of human rights,

Recalling the Vienna Declaration and Programme of Action, adopted by the World Conference, in which was reaffirmed the important constructive role played by national institutions for the promotion and protection of human rights, in particular in their advisory capacity to the competent authorities, their role in

remedying human rights violations, and in the dissemination of human rights information and education concerning human rights,

Noting in particular that the World Conference on Human Rights strongly urged Governments to incorporate standards as contained in international human rights instruments in domestic legislation and to strengthen national institutions which play a role in promoting and safeguarding human rights,

Noting with satisfaction the constructive participation of representatives of a number of national institutions for the promotion and protection of human rights in international seminars and workshops organized or sponsored by the United Nations and its Member States and in other United Nations activities,

1. Reaffirms the importance of the development, in accordance with national legislation, of effective national institutions for the promotion and protection of human rights and of ensuring the pluralism of their membership and their independence;

2. Encourages all Member States to take appropriate steps to promote the exchange, including by national institutions, of information and experience concerning the establishment and operation of such national institutions;

3. Also encourages Member States to establish or, where they already exist, to strengthen national institutions for the promotion and protection of human rights and, where appropriate, to incorporate those elements in national development plans or in their preparation of national action plans, as outlined in the Vienna Declaration and Programme of Action;

4. Emphasizes in this regard the need to disseminate the Principles relating to the status of national institutions, annexed to General Assembly resolution 48/134 of 20 December 1993, as widely as possible and to utilize them fully;

5. Affirms the role of national institutions, where they exist, as appropriate agencies for the dissemination of human rights materials and other public information activities under the auspices of the United Nations;

6. Recognizes the important and constructive role that non-governmental organizations can play in cooperation with national institutions for the better promotion and protection of human rights;

7. Welcomes the decision taken by national institutions at the second international Workshop on National Institutions for the Promotion and Protection of Human Rights (Tunis, 13-17 December 1993) to establish a Coordinating Committee which, under the auspices of and in cooperation with the Centre for Human Rights, will assist national institutions in following up the relevant resolutions and recommendations concerning the strengthening of national institutions, including those contained in the report of the Workshop (E/CN.4/1994/45);

8. Requests the Secretary-General to give a high priority to requests from Member States for assistance in the establishment and strengthening of national institutions for the promotion and protection of human rights as part of the programme of advisory services and technical assistance in the field of human rights;

9. Requests the Centre for Human Rights, with the assistance of national institutions and their Coordinating Committee, to develop a programme of technical assistance for States wishing to establish or strengthen their national institutions and to organize training programmes for national institutions which request them, and invites Governments to contribute additional funds to the Voluntary Fund for Technical Cooperation in the Field of Human Rights for these purposes;

10. Requests the Secretary-General to convene a third international workshop of national institutions during 1995 in either Latin America or Asia, to finance attendance by representatives of national institutions from the Voluntary Fund for Technical Cooperation in the Field of Human Rights and to invite Governments and intergovernmental and non-governmental organizations to contribute to the Voluntary Fund for this purpose;

11. Calls for provision to be made for appropriate participation by national institutions in relevant United Nations human rights bodies, and requests the Secretary-General to prepare a report, to be submitted to the Commission at its fifty-first session, drawing on the experience of the World Conference on Human Rights, concerning the participation of national institutions, in their own right, in the work of the appropriate functional commissions of the Economic and Social Council;

12. Decides to continue its consideration of this question at its fifty-first session.

Distr.
LIMITED

E/CN.4/1994/L.69
1 March 1994

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Fiftieth session
Agenda item 11

FURTHER PROMOTION AND ENCOURAGEMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING THE QUESTION OF THE PROGRAMME AND METHODS OF WORK OF THE COMMISSION

Albania*, Angola, Argentina*, Australia, Austria, Barbados, Belgium*, Brazil, Bulgaria, Cameroon, Canada, Chile, Colombia, Costa Rica, Czech Republic*, Denmark*, Ecuador, Germany, Greece*, Guinea-Bissau, Hungary, Iceland*, Ireland*, Italy, Japan, Jordan*, Kenya, Latvia*, Lesotho, Liechtenstein*, Lituania*, Luxembourg*, Madagascar*, Malawi, Mauritania, Mauritius, Morocco, Netherlands, New Zealand*, Nicaragua*, Norway*, Peru, Philipines*, Poland, Portugal*, Republic of Korea, Romania, Russian Federation, Senegal*, Slovakia*, Spain*, Sri Lanka, Sweden*, Switzerland*, Turkey*, Uruguay, Venezula:
draft resolution

Strengthening the Centre for Human Rights

The Commission on Human Rights,

Recalling all relevant General Assembly resolutions as well as its own resolutions on this question,

---

* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Considering that the promotion of universal respect for and observance of human rights and fundamental freedoms is one of the basic purposes of the Charter of the United Nations and one of the main priorities of the Organization,

Recalling that the Vienna Declaration and Programme of Action stresses the importance of strengthening the Centre for Human Rights,

Recalling also that the Secretary-General, in his reports on the work of the Organization for 1992 and 1993, stated that "the Charter of the United Nations places the promotion of human rights as one of our priority objectives, along with promoting development and preserving international peace and security", and that "in the course of 1993, the activities of the Centre for Human Rights at Geneva underwent a significant expansion in the five main areas of its work",

Recalling further that the Commission, in paragraph 30 of its report (E/CN.4/1988/85 and Corr.1) to the Special Commission of the Economic and Social Council, reaffirmed that "the paramount consideration in the employment of staff at every level is the need for the highest standards of efficiency, competence and integrity, and is convinced that this is compatible with the principle of equitable geographical distribution", and bearing in mind Article 101, paragraph 3, of the Charter of the United Nations,

Recalling also, in this context, the relevant resolutions of the General Assembly on the improvement of the status of women in the Secretariat urging the Secretary-General to accord greater priority to the recruitment and promotion of women,

Welcoming the decision by the General Assembly to establish the post of High Commissioner for Human Rights as well as the mandate for the post, including its overall coordinating role and its supervisory function in relation to the Centre for Human Rights, as well as the request by the General Assembly for appropriate staff and resources for the High Commissioner for Human Rights,

Emphasizing the important role of the Centre for Human Rights as the coordinating unit within the United Nations system in the promotion, protection and implementation of human rights and the need to provide it with sufficient human and financial resources, particularly in view of the fact that its workload has dramatically increased while resources have failed to keep pace with the expansion of its responsibilities,

Noting that the activities envisaged in the Vienna Declaration and Programme of Action will add further to the workload and the responsibilities of the Centre for Human Rights,

Noting also that the difficult financial situation of the Centre for Human Rights has created considerable obstacles in implementing the various procedures and mechanisms and negatively influenced the servicing by the Secretariat of the human rights machinery,

Acknowledging that further improvement of the functioning and efficiency of the Centre for Human Rights, together with a strong emphasis on good management practice, is needed in order to enable the Centre to cope with the constantly increasing workload,

Noting with appreciation the measures already taken by the Assistant Secretary-General for Human Rights aimed at improving the administration and management of the Centre for Human rights,

Noting also that to improve the functioning and the efficiency of the Centre for Human Rights, good management practice needs to be complemented by additional resources commensurate with the additional mandates,

1. Requests the Secretary-General to enhance further the role and importance of the Centre for Human Rights, under the overall supervision of the High Commissioner for Human Rights, as the coordinating unit within the United Nations system with respect to human rights;

2. Welcomes the endorsement by the General Assembly of the recommendations of the World Conference on Human Rights concerning the strengthening of the Centre for Human Rights, as contained in the Vienna Declaration and Programme of Action;

3. Takes note of the report of the Secretary-General (E/CN.4/1994/74) on the measures taken to implement General Assembly resolution 48/129 of 20 December 1993 on the strengthening of the Centre for Human Rights of the Secretariat;

4. Requests the Secretary-General to ensure that sufficient resources from within the regular budget of the United Nations are accorded, as a matter of urgency, to the Centre for Human Rights to enable it to undertake all its functions, in full and on time;

5. Requests in particular the Secretary-General and the General Assembly to ensure that appropriate additional staff and resources from within the existing and future regular budgets of the United Nations are accorded to the Centre for Human Rights to enable it to carry out, in full and on time, the activities envisaged for the Centre in the Vienna Declaration and Programme of Action;

6. Emphasizes the need to provide additional staff and resources from within the existing and future regular budgets of the United Nations to enable the High Commissioner for Human Rights to carry out his mandate with the assistance of the Centre for Human Rights;

7. Emphasizes also that further steps should be undertaken to analyse the present and future utilization of available human and financial resources and, while noting with appreciation the measures recently taken by the Assistant Secretary-General for Human Rights aimed at improving the management of the Centre, that additional measures should be taken to improve further the administrative efficiency and effectiveness of the Centre for Human Rights, if required with appropriate technical assistance;

8. Decides to consider the question of strengthening the Centre for Human Rights, including measures taken in furtherance of the present resolution, at its fifty-first session.

Distr.
LIMITED

E/CN.4/1994/L.70
28 February 1994

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Fiftieth session
Agenda item 19

ADVISORY SERVICES IN THE FIELD OF HUMAN RIGHTS

Austria, Finland, Germany, Hungary, Italy, Netherlands, Poland, Portugal*, Russian Federation, Sweden*, and Switzerland*: draft resolution

Assistance to the Republic of Georgia in the field of human rights

The Commission on Human Rights,

Guided by the principles of the Charter of the United Nations, the Universal Declaration of Human Rights and the International Covenants on Human Rights;

Recalling in particular its resolution 1993/85 of 10 March 1993, in which the Commission requested the Secretary-General to evaluate the needs for support and technical assistance in the field of human rights to the Government of Georgia;

---

* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Deeply concerned at the continued seriousness of the situation of human rights of inhabitants of Georgia, including Abkhazia;

Noting with satisfaction the efforts within the United Nations system in organizing missions to Georgia, including Abkhazia, to investigate abuses and human rights violations, which are being committed by all sides, and to initite a country programme of the Centre for Human Rights for technical assistance to Georgia, to be implemented in 1994;

Noting with appreciation the efforts of the personal representative of the Secretary-General to support a speedy political solution to the conflict in Georgia including Abkhazia, at the peace talks in Geneva, as well as the positive contribution of the mission of the Conference on Security and Cooperation in Europe to the consolidation of an effective cease-fire in South Ossetia and Abkhazia;

1. Expresses its serious concern at the persistence of numerous and grave violations of human rights in Georgia, including Abkhazia, such as extrajudicial executions, torture and ill-treatment, including rape, inhuman or degrading treatment of prisoners, looting and burning of houses, and deportations of the civilian population;

2. Strongly condemns such reprehensible acts and abuses committed by troops or armed groups in Georgia, including Abkhazia;

3. Welcomes the willingness of the Government of Georgia to cooperate with the Commission on Human Rights and the Centre for Human Rights;

4. Urges the Government of Georgia and the authorities in Abkhazia to carry out investigations into all allegations of human rights violations, with a view to identifying and prosecuting those responsible;

5. Appeals to those in control of the territory of Abkhazia to implement and ensure law and order, to guarantee fully the enjoyment of human rights and to ensure the right of displaced persons to return to Abkhazia and to recover their property;

6. Encourages the Government of Georgia to continue to cooperate in the field of advisory services;

7. Encourages a speedy agreement on the country programme discussed between the Centre for Human Rights and the Government of Georgia and the

provision of technical assistance to the Government of Georgia, including inter alia the following components: assistance in creating a national institution for the promotion and protection of human rights, a seminar on minority issues, needs assessment and reform of the system for the administration of justice and the penal code, and training of law enforcement officers, including police, military and prison officers; implementation of the programme should be coordinated by a human rights officer to be posted in Georgia.

8. Decides to examine the question again at its fifty-first session.

Distr.
LIMITED

E/CN.4/1994/L.71
1 March 1994

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Fiftieth session
Agenda item 11

FURTHER PROMOTION AND ENCOURAGEMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING THE QUESTION OF THE PROGRAMME AND METHODS OF WORK OF THE COMMISSION

Chile, Costa Rica, Czech Republic*, Latvia*, Madagascar*, Netherlands, Poland and Slovakia*: draft resolution

Civil defence forces

The Commission on Human Rights,

Recalling that everyone has the right to life, liberty and security of person,

Considering the reports of the Secretary-General on civil defence forces submitted pursuant to Commission on Human Rights resolutions 1992/57 of 3 March 1992 (E/CN.4/1993/34) and 1993/54 of 9 March 1993 (E/CN.4/1994/38),

Taking note with interest of the observations regarding the use of civil defence forces not belonging to regular law enforcement agencies and the protection of human rights and fundamental freedoms contained in the reports of the Working Group on Enforced or Involuntary Disappearances,

Noting that the formation of civil defence forces to protect public order appears to be on the rise worldwide, particularly in areas of conflict,

---

* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

GE.94-11659 (E)

Recognizing that action by civil defence forces has in some cases jeopardized the enjoyment of human rights and fundamental freedoms,

Also recognizing that under exceptional circumstances, when public military and police forces are unable to act, there may be a need to establish civil defence forces to protect the civilian population,

Reaffirming the obligation of States under the Charter of the United Nations to promote universal respect for, and observance of, human rights and fundamental freedoms,

Realizing that the individual has a right and a responsibility to strive for the promotion and observance of the rights recognized in the International Covenant on Civil and Political Rights as well as in the International Covenant on Economic, Social and Cultural Rights,

1. Expresses its appreciation to the Governments and intergovernmental and non-governmental organizations that have provided information on domestic law and practice relating to civil defence forces or comments concerning their relation to the protection of human rights and fundamental freedoms, pursuant to Commission on Human Rights resolution 1993/54;

2. Recommends that, whenever armed civil defence forces are created to protect the civilian population, Governments establish minimum legal requirements for them, including the following:

(a) Civil defence forces shall only be deployed for the purpose of self-defence;

(b) Recruitment into them shall be voluntary and shall be effectively controlled by public authorities;

(c) Public authorities shall supervise their training, arming, discipline and operations;

(d) Commanders shall have clear responsibility for their activities;

(e) Civil defence forces and their commanders shall be clearly accountable for their activities;

(f) Offences involving human rights violations by such forces shall be subject to the jurisdiction of the civilian courts;

3. Invites the special rapporteurs, working groups and treaty bodies concerned to continue to pay due attention, within their mandates, to the matter of civil defence forces in relation to the protection of human rights and fundamental freedoms.

Distr.
LIMITED

E/CN.4/1994/L.72
1 March 1994

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Fiftieth session
Agenda item 11

FURTHER PROMOTION AND ENCOURAGEMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING THE QUESTION OF THE PROGRAMME AND METHODS OF WORK OF THE COMMISSION

Argentina*, Austria, Costa Rica, Czech Republic*, Denmark*, Finland, Greece*, Hungary, Italy, Lesotho*, Norway*, Peru, Russian Federation, Sweden*, Switzerland*, Uruguay:

draft resolution

Internally displaced persons

The Commission on Human Rights,

Mindful of its responsibility under the Charter of the United Nations to promote and encourage respect for human rights and fundamental freedoms,

Recalling the relevant norms of international human rights instruments, as well as of international humanitarian law and international refugee law,

Deeply disturbed by the large and growing number of internally displaced persons throughout the world and conscious of the serious problem this is creating for the international community,

Recognizing that internally displaced persons are in need of relief assistance and of protection,

---

* In accordance with rule 69, para. 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Conscious of the human rights as well as the humanitarian dimensions of the problem of internally displaced persons and the responsibilities this poses for the international community,

Recalling its resolution 1993/95 of 11 March 1993, in which it requested the representative of the Secretary-General to continue his work aimed at better understanding of the general problems faced by internally displaced persons and their possible long-term solutions,

Recalling the Vienna Declaration and Programme of Action, in which the World Conference on Human Rights called for a comprehensive approach by the international community with regard to refugees and displaced persons,

Bearing in mind that the General Assembly, in its resolution 48/135, welcoming the decision by the Executive Committee of the Office of the United Nations High Commissioner for Refugees to extend, on a case-by-case basis and under specific circumstances, protection and assistance to the internally displaced, encouraged the representative, through dialogue with Governments, to continue his review of the needs for international protection of and assistance to internally displaced persons, including his compilation and analysis of existing rules and norms,

Bearing in mind also that in the same resolution the Assembly invited the representative to present suggestions and recommendations with regard to ways and means, including the institutional aspects, of providing effective protection and assistance to internally displaced persons,

Conscious of the need for the United Nations system to gather comprehensive information on the issue of the protection of the human rights of and assistance to internally displaced persons, as well as to coordinate effectively its activities in this regard,

Welcoming the cooperation already established between the representative of the Secretary-General and the Office of the United Nations High Commissioner for Refugees, the Department of Humanitarian Affairs of the Secretariat and other intergovernmental and non-governmental organizations,

Aware of the need to address the root causes of internal displacement, particularly as regards the identification of preventive measures, long-term solutions and opportunities for the peaceful resolution of conflicts,

1. Takes note with appreciation of the report of the representative of the Secretary-General on internally displaced persons and on his visit to Sri Lanka (E/CN.4/1994/44 and Add.1);

2. Commends the representative of the Secretary-General for the activities so far undertaken despite the limited resources available to him, and endorses his proposed programme of activities;

3. Welcomes the efforts of the representative to continue raising the level of consciousness about the plight of the internally displaced;

4. Encourages the representative, through dialogue with Governments and all concerned, to continue his review of the needs for international protection of and assistance to internally displaced persons, including his compilation and analysis of existing rules and norms;

5. Also encourages the representative to include in his review the needs for international protection and assistance of this vulnerable group in specific situations;

6. Further encourages the representative to continue to pay specific attention in his review to the protection and assistance needs of women and children;

7. Invites the representative to make suggestions and recommendations with regard to ways and means, including the institutional aspects, of providing adequate and effective protection of and assistance to internally displaced persons;

8. Calls upon all Governments to continue to facilitate the activities of the representative, encourages them to give serious consideration to inviting him to visit their countries, so as to enable him to study and analyse more fully the issues involved, and thanks those Governments which have already done so;

9. Also calls upon Governments to give due consideration to the recommendations and suggestions made to them by the representative for improving protection and assistance to internally displaced persons, and endorses the recommendation of the representative regarding the need for follow-up;

10. Calls upon its other mechanisms to seek information on situations which could lead to internal displacement and to include relevant information and recommendations on prevention and solutions in their reports to the Commission;

11. Calls upon the Department of Humanitarian Affairs of the Secretariat, the Office of the United Nations High Commissioner for Refugees, all regional intergovernmental organizations, the International Committee of the Red Cross, the International Organization for Migration and non-governmental organizations to continue to cooperate with the representative and assist him in his tasks and activities;

12. Urges concerned United Nations agencies to provide to the representative all possible assistance and support in the implementation of his programme of activities, including all necessary information, and calls upon the representative to propose ways and means of setting up a more coherent system of data collection on issues related to the situation and protection of internally displaced persons;

13. Encourages the representative in this respect to enlist the contribution of local, national and regional capacities including academic and research institutions;

14. Requests the Secretary-General to give all necessary assistance to his representative to carry out his mandate effectively, in particular with regard to the study and analysis of the legal framework and the development of a comprehensive strategy;

15. Requests the representative of the Secretary-General to continue to submit annual reports on his activities to the Commission on Human Rights and to the General Assembly;

16. Decides to continue its consideration of the question at its fifty-first session.

---

(328)

Distr.
LIMITED

E/CN.4/1994/L.72/Rev.1
4 March 1994

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Fiftieth session
Agenda item 11

FURTHER PROMOTION AND ENCOURAGEMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING THE QUESTION OF THE PROGRAMME AND METHODS OF WORK OF THE COMMISSION

Argentina*, Austria, Costa Rica, Czech Republic*, Denmark*, Finland, Greece*, Hungary, Italy, Lesotho*, Norway*, Peru, Russian Federation, Sweden*, Switzerland*, Uruguay: draft resolution

Internally displaced persons

The Commission on Human Rights,

Mindful of its responsibility under the Charter of the United Nations to promote and encourage respect for human rights and fundamental freedoms,

Recalling the relevant norms of international human rights instruments, as well as of international humanitarian law and international refugee law,

Deeply disturbed by the large and growing number of internally displaced persons throughout the world and conscious of the serious problem this is creating for the international community,

Recognizing that internally displaced persons are in need of protection and of relief assistance and recognizing the need for States and the international community to explore methods and means better to address the protection and assistance needs of internally displaced persons,

---

* In accordance with rule 69, para. 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Conscious of the human rights as well as the humanitarian dimensions of the problem of internally displaced persons and the responsibilities this poses for States and the international community,

Recalling its resolution 1993/95 of 11 March 1993, in which it requested the representative of the Secretary-General to continue his work aimed at a better understanding of the general problems faced by internally displaced persons and their possible long-term solutions,

Recalling the Vienna Declaration and Programme of Action, in which the World Conference on Human Rights called for a comprehensive approach by the international community with regard to refugees and displaced persons,

Bearing in mind that the General Assembly, in its resolution 48/135, welcoming the decision by the Executive Committee of the Office of the United Nations High Commissioner for Refugees to extend, on a case-by-case basis and under specific circumstances, protection and assistance to the internally displaced, encouraged the representative, through dialogue with Governments, to continue his review of the needs for international protection of and assistance to internally displaced persons, including his compilation and analysis of existing rules and norms,

Bearing in mind also that in the same resolution the Assembly invited the representative to present suggestions and recommendations with regard to ways and means, including the institutional aspects, of providing effective protection and assistance to internally displaced persons,

Conscious of the need for the United Nations system to gather comprehensive information on the issue of the protection of the human rights of and assistance to internally displaced persons, as well as to coordinate effectively its activities in this regard,

Welcoming the cooperation already established between the representative of the Secretary-General and the Office of the United Nations High Commissioner for Refugees, the Department of Humanitarian Affairs of the Secretariat and other relevant intergovernmental and non-governmental organizations, and encourage them to actively pursue their consultations on this issue,

Aware of the need to address the root causes of internal displacement,

1. Takes note with appreciation of the report of the representative of the Secretary-General on internally displaced persons (E/CN.4/1994/44 and Add.1);

2. Commends the representative of the Secretary-General for the activities so far undertaken, despite the limited resources available to him, and for his proposed programme of activities;

3. Welcomes the efforts of the representative to continue raising the level of consciousness about the plight of the internally displaced;

4. Encourages the representative, through dialogue with Governments and all intergovernmental and non-governmental organizations concerned, and, in accordance with his mandate, to continue his review of the needs for protection of and assistance to internally displaced persons, including his compilation and analysis of existing rules and norms, the root causes of internal displacement, prevention and long-term solutions, taking into account specific situations;

5. Further encourages the representative to continue to pay specific attention in his review to the protection and assistance needs of women and children;

6. Invites the representative to make suggestions and recommendations with regard to ways and means, including the institutional aspects, of providing adequate and effective protection of and assistance to internally displaced persons;

7. Calls upon all Governments to continue to facilitate the activities of the representative, encourages them to give serious consideration to inviting him to visit their countries, so as to enable him to study and analyse more fully the issues involved, and thanks those Governments which have already done so;

8. Also calls upon Governments to give due consideration, in dialogue with the representative, to the recommendations and suggestions made to them by the representative for improving protection and assistance to internally displaced persons;

9. Calls upon relevant Rapporteurs, Working Groups and experts, in accordance with their mandates, to seek information on situations which could lead to internal displacement and to include relevant information and recommendations thereon in their reports to the Commission;

10. Calls upon the Department of Humanitarian Affairs of the Secretariat, the Office of the United Nations High Commissioner for Refugees, all regional intergovernmental organizations, the International Committee of the Red Cross,

the International Organization for Migration and non-governmental organizations to continue to cooperate with the representative and assist him in fulfilling his mandate;

11. Encourages the representative of the Secretary-General to continue to cooperate and coordinate with the Office of the United Nations High Commissioner for Refugees, the Department of Humanitarian Affairs of the Secretariat and the International Committee of the Red Cross;

12. Urges concerned United Nations agencies to provide to the representative all necessary information, and calls upon the representative to propose ways and means of setting up a more coherent system of data collection on issues related to the situation and protection of internally displaced persons;

13. Encourages the representative in this respect to seek the contribution of local, national and regional academic and research institutions;

14. Requests the Secretary-General to give all necessary assistance, within existing resources, to his representative to carry out his mandate effectively, in particular with regard to the study and analysis of the legal framework and the development of a comprehensive strategy;

15. Requests the representative of the Secretary-General to continue to submit annual reports on his activities to the Commission on Human Rights and to the General Assembly;

16. Decides to continue its consideration of the question at its fifty-first session.